

AN ORDINANCE     100923

**APPROVING THE EXECUTION OF GROUND LEASE AGREEMENT (the "LEASE") BETWEEN THE CITY OF SAN ANTONIO AS TENANT, AND THE BROOKS DEVELOPMENT AUTHORITY AS LANDLORD, FOR APPROXIMATELY 8.23 ACRES OF REAL PROPERTY LOCATED AT BROOKS CITY-BASE FOR A TERM OF 99 YEARS AT AN ANNUAL RENTAL PAYMENT OF \$1.00 AND AN ANNUAL COMMON AREA MAINTENANCE/PARK SERVICES EXPENSE PAYMENT OF APPROXIMATELY \$21,350.00 TO BE USED FOR THE CONSTRUCTION OF A CITY/COUNTY EMERGENCY OPERATIONS CENTER.**

\* \* \* \* \*

**WHEREAS**, CITY is receiving certain funds from the sale of General Obligation Bonds from the 2003-2007 Public Health and Safety Improvement Bond Issue (the 'CITY Bonds'); and

**WHEREAS**, COUNTY is receiving certain funds from the sale of General Obligation Bonds from the 2003 Emergency Operations Center and Senior Citizens Multipurpose Facilities Improvement Bonds (the "COUNTY Bonds"); and

**WHEREAS**, a portion of said CITY Bonds and COUNTY Bonds are dedicated to building an Emergency Operations Center ("EOC") to be jointly owned by CITY and COUNTY and that will service the City of San Antonio Metropolitan Area and Bexar County; and

**WHEREAS**, CITY has negotiated a Ground Lease Agreement with the BDA for the use of approximately 8.23 acres of real property on Brooks City-Base upon which the EOC is to be constructed; and

**WHEREAS**, said Lease is for a term of 99 years, an annual rental payment of \$1.00 and an annual Common Area Maintenance/Park Service Expense payment of approximately \$21,350.00; and

**WHEREAS**, said Lease has been approved by the Board of Directors of the BDA; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The terms and conditions of a Ground Lease Agreement between the City of San Antonio and the Brooks Development Authority for the use of approximately 8.23 acres of real property on Brooks City-Base for a term of 99 years upon which the EOC is to be constructed with an annual rental payment of \$1.00 and an annual Common Area Maintenance/Park Services Expense Payment of \$21,350.00 is hereby approved. A copy of the Agreement substantially in its final form is attached as "ATTACHMENT I" and made a part of this ordinance. A final copy will be attached when executed.

**SECTION 2.** The Interim City Manager or his designee is hereby authorized for 60 days following the effective date of this ordinance to execute said Agreement.

**SECTION 3.** Funding is contingent on City Council's approval of subsequent years' budget.

**SECTION 4.** The financial allocations in this Ordinance are subject to approved by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This ordinance shall be effective on and after the tenth (10<sup>th</sup>) day after passage hereof.

**PASSED AND APPROVED** this 19<sup>th</sup> day of May, 2005.

  
**MAYOR**  
EDWARD D. GARZA

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**

  
for Acting City Attorney

# Agenda voting Results

**Name:** 42.

**Date:** 05/19/05

**Time:** 09:19:25 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance approving the execution of a Ground Lease Agreement between the City of San Antonio, as Tenant, and the Brooks Development Authority, as Landlord, for approximately 8.23 acres of real property located at Brooks City-Base for a term of 99 years with one renewal period of 99 years for an annual rental payment of \$1.00 and an annual common area maintenance/park services expense payment of approximately \$21,350.00, to be used for the construction of a City/County Emergency Operations Center. [Presented by Robert Ojeda, Fire Chief; Christopher J. Brady, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		